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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/762,078	01/21/2004	Klass P. Hardeman	047446/273072

00826

 ALSTON & BIRD LLP
 BANK OF AMERICA PLAZA
 101 SOUTH TRYON STREET, SUITE 4000
 CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 4620

FORMALITIES LETTER



OC00000012453474

Date Mailed: 04/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

 Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

06/22/2004 DEMAND-00000007-10762078

01 FC+1051

130.00 OP

A copy of this notice **MUST** be returned with the reply.
 Adjustment dates 09/01/2004 EEKUBAY1
 06/22/2004 DEMAND-00000007 10762078
 01 FC+1051 -130.00 OP

 Repln. Ref: 09/01/2004 EEKUBAY1 0012523200
 DAN:160605 Name/Number:10762078
 FC: 9204 \$65.00 CR

09/01/2004 EEKUBAY1 00000001 10762078

01 FC:2051

65.00 OP

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Attorney's Docket No. 047446/273072

PATENT
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hardeman et al.
Appl. No.: 10/762,078
Filed: January 21, 2004
For: ALKYL-LINKED NUCLEOTIDE COMPOSITIONS

Confirmation No.: 24620
Group Art Unit: 1623 JUL 13 PM 3: 32
Examiner: Not Assigned

MAIL STOP 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
(37 C.F.R. 1.28(a))

SUBMISSION OF STATEMENT

☒ Applicant claims small entity status.

REFUND REQUEST AND MANNER OF REFUND

This request for refund is made **within three months** of the date a fee was paid in this application, on June 15, 2004, for Missing Parts Surcharge for late declaration under 37 C.F.R. §1,16(e), in the amount of \$130.00.

Please make refund in the amount of \$65.00 by crediting ALSTON & BIRD LLP Deposit Account No. 16-0605.

Respectfully submitted,

Kathryn L. Coulter

Kathryn L. Coulter
Registration No. 45,889

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop 16, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on July 8, 2004

Nora C. Martinez
Nora C. Martinez

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No. 047446/273072

Applicant, Patentee, or Identifier: Hardeman et al.
Application No. or Patent No.: 10/762,078
Filed: January 21, 2004
Title: ALKYL-LINKED NUCLEOTIDE COMPOSITIONS

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.27(a)(2)) – SMALL BUSINESS CONCERN

I hereby declare that I am:

☐
☒

the owner of the small business concern identified below:
an official of the small business concern empowered to act on behalf of the
concern identified below:

NAME OF SMALL BUSINESS CONCERN: Serenex, Inc.
ADDRESS OF SMALL BUSINESS CONCERN: 323 Foster Street, Durham, NC 27701-2102

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121, and reproduced in 37 C.F.R. § 1.27(a)(2), for purposes of paying reduced fees to the United States Patent and Trademark Office, under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐
☒
☐

the specification filed herewith with title as listed above.
the application identified above.
the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2), or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

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Each person, concern, or organization having any rights in the invention is listed below:



no such person, concern, or organization exists.



each such person, concern, or organization is listed below.

2004 JUL 13 PM 3:32

Name: _____

Address: _____

☐ Individual

☐ Small Business

☐ Nonprofit Organization

Name: _____

Address: _____

☐ Individual

☐ Small Business

☐ Nonprofit Organization

Separate statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.27(g)(2))

NAME OF PERSON SIGNING: Steven Hall, Ph.D.

TITLE OF PERSON OTHER THAN OWNER: Sr. Vice President,
Research & Development

ADDRESS OF PERSON SIGNING: 323 Foster Street

Durham, NC 27701-2102

SIGNATURE: 

DATE: June 18, 2004